

ORDER OF THE STATE PERSONNEL BOARD

JOSEPH MACDONALD,

Complainant,

vs.

DEPARTMENT OF TRANSPORTATION,

Respondent.

This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled public session held on August 21, 2007. During this public session, the Board considered the record on appeal, including but not limited to:

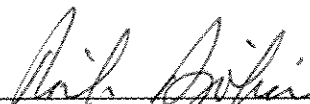
1. Initial Decision of the Administrative Law Judge;
2. Opening Brief;
3. Response to Brief on Appeal by Joseph P. MacDonald;
4. Reply Brief.

Based upon the Board's review and consideration,

IT IS HEREBY ORDERED that, in the Response to Brief on Appeal by Joseph P. MacDonald, Complainant's exhibits B through J, except for Exhibits F and G, are stricken.

IT IS FURTHER ORDERED that the findings of fact and conclusions of law in the Initial Decision of the Administrative Law Judge are adopted, and that the Initial Decision of the Administrative Law Judge is adopted and made an Order of the Board.

Dated this 23rd day of
August, 2007.



Rich Djokic, Board Chair
State Personnel Board
633 17th Street, Suite 1320
Denver, Colorado 80202-3604

NOTICE OF APPEAL

Each party has the following rights:

1. To abide by this decision of the State Personnel Board; or
2. To appeal this decision to the Colorado Court of Appeals within 45 days pursuant to Section 24-4-106(11), C.R.S., as provided in Section 24-50-125.4(3), C.R.S.

In the event the decision is appealed, pursuant to Section 24-4-106(11)(b), C.R.S., the party filing the appeal with the Court of Appeals must serve the State Personnel Board with a copy of the Notice of Appeal at: 633 17th Street, Suite 1320, Denver, Colorado 80202-3604. In addition to serving the State Personnel Board with a copy of the Notice of Appeal, the party filing the appeal with the Court of Appeals must name the State Personnel Board as a party (appellee) to the appeal. Section 24-4-106(11)(d), C.R.S.

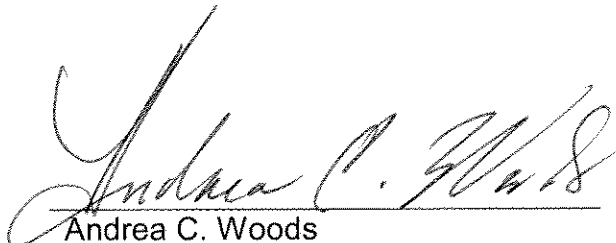
CERTIFICATE OF MAILING

This is to certify that on the 23rd day of August, 2007, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD**, in the United States mail, postage prepaid, addressed as follows:

Joseph P. MacDonald
510 Woodward St.
Silver Plume, CO 80476

and in the interagency mail, to:

Joseph F. Haughain
Assistant Attorney General II
Employment Law Section
1525 Sherman Street, 5th Floor
Denver, Colorado 80203


Andrea C. Woods